

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Brian Keith Alford,

Plaintiff,

: Case No. 2:22-cv-1652

-vs-

Judge Sarah D. Morrison
Magistrate Judge Caroline Gentry

Tom Schweitzer, *et al.*,

:

Defendants.

ORDER

This matter is before the Court upon consideration of a Report and Recommendation (R&R) issued by the Magistrate Judge on June 9, 2022. (ECF No. 5). In that filing, the Magistrate Judge recommended that: (1) Plaintiff be ordered to pay the full \$402 fee (\$350 filing fee plus \$52 administrative fee) required to commence this action within thirty (30) days; and (2) Plaintiff be notified that his failure to pay the full \$402 fee within thirty days will result in the dismissal of his action; and (3) the Court certify pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of any Order adopting the R&R would not be taken in good faith.

Mr. Alford's untimely "Request for a Sixty Day Extension in Which to Pay Required Filing Fee" will be treated as timely and as an Objection to the R&R. (ECF No. 6.) His Objection is **SUSTAINED** as to allowing 60 days from the date of this Order to pay the filing fee in full. The remainder of the R&R is **ADOPTED**. (ECF No. 5.) Plaintiff is **ORDERED** to pay the \$402 fee within sixty (60) days of

this Order. Plaintiff is **WARNED** that failure to timely pay the full fee will result in this case being **DISMISSED**. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Order would not be taken in good faith.

IT IS SO ORDERED.

/s/ Sarah D. Morrison
SARAH D. MORRISON
UNITED STATES DISTRICT JUDGE